INDIANA LEGISLATURE.

[Omissions and curtailments of this report want of space in these columns will appear in an appendix to Volume XXIII of the Brevier Legislative reports.]

IN SENATE. THURSDAY, March 26, 1885.

APPELLATE COURT. Mr. WEIR introduced a bill [3, 373] for the creation of an Appellate Court [similar to his bill S. 45-see pages 175 and 257 of volume 22] The Committee on Organization of Courts has given this subject but little, if any attention. He moved its reference to a special committee of five.

The motion was agreed to, and the Lientenant Governor made the committee to consist of Mersrs. Weir, McCullough, Foulke, Magee and Willard.

ENIGHTSTOWN INVESTIGATION. The Conference Committee thereon reported an allowance of \$210 to the House Doorkeeper and \$66 to the Grand Hotel.

The report was concurred in.

TO PROBLEM SUNDAY BALL PLAYING. The bill H. R. 6 being read the third

Mr. SMITH, of Jay: I am opposed to the passage of any penal statute containing an emergency clause. I move to recommit the bill with instructions to strike out the emergency clause and report back the bill at

Mr. HILLIGASS moved to instruct the committee to insert the words "where an admission fee is charged," and also the word "base." The bill as it is would subject boys to prosecution in every township in the State where they may be found tossing a ball on Sunday afternoon.

Mr. FOWLER: This bill is rather broad in its terms.

Mr. FAULKNER: The farmers' boys can take care of themselves; it is the city boys who play base ball and every other kind of a bail on Sundays, gathering a large body of people together and disturbing those religiously inclined.

Mr. OVERSTREET: A bill with the amendment proposed would amount to | constituents I vote "aye." ones to violate such a law.

Mr. SELLERS opposed the bill. Mr. WINTER: I think the bill should pass as it is. It would not be applied to small boys. It is just as much of an evil to play a game of ball where a large crowd is gathered together on Sunday, whether an admission fee is charged or not.

Mr. WILLARD: The amendment proposed would destroy the effect desired by the bill. I concur fully with the remarks of the Senator from Jay. Where boys toss a ball between themselves it is not a game. This kind of Sabbath amusement has grown

to be almost infamous. Mr. SHITH, of Jennings: The more legislation enacted to compet the observance of the Sabbath day the more irreverence is inspired for it. He would not have so much objection to the bill if amended as proposed.

Mr. MAGEE: I would not restrict harmless enjoyments on Sunday if it did not disturb the people. I shall never vote to restrict in- | dividual liberty on any subject. Cities can pais ordinances to prevent lawlessness that will result from playing base ball on Sunday. Morality must come from the fireside and schools, and not from legislative enactment. The LIEUTENANT GOVERNOR: I am told that at a preacher's meeting some one (I don't care to give his name) stated that the Speaker of the House or the President of the Senate informed a committee of ministers that this bill had passed the House, but it would go no farther. I wish to say that I never stated that to any minister or to anybody else. I have been for this bill from the beginning, and am for it now. I have never proposed to state what the Senate is going to do, for I don't know. And I don't know because a man is a preacher that he is at

Mr. THOMPSON: I have been informed that the other ministers were very much mortified over that statement. The idea they received was contrary to that expressed, inasmuch as the House had already passed the

Mr. McCULLOUGH: No law should be put on the statute book that will not be respected. The fine imposed in this bill would not deter the game. I favor very large latitude on the question of Sunday laws. If such a law as this is enacted the penalty should be enforced against the employers of these base ball players as well as the players themselves, or against the ticket seller or those who attempt to take gate money, otherwise the company could pay the fine and i tional majority. continue the Sunday games. You might as well say it was unlawful to play marbles or to go in swimming on Sunday. A bill to stop money making by such games on Sunday would be much more effectual than the

Mr. CAMPBELL, of St. Joseph, moved to amend the amendment by striking out of the amendment the word "base." This motion was rejected upon a division

-affirmative, 19; negative, 23. The amendment was agreed to by year 24,

nays 19. Messrs. Magee, Weir and Zimmerman voting "aye," though opposed to the bill. The motion to refer was agreed to and the

Lieutenant Governor appointed Mr. Overstreet as said Committee of One. AMENDMENT OF PLEADINGS.

The bill [H. R 7] to amend Section 1,464 of the code was read the third time with a

Senate amendment. Mr. WINTER explained: The party shall state additional proof will be required, and that they can not produce that proof at the time in order to secure a contrivance.

The bill passed by yeas 35, nays 2. PHYSIOLOGY IN THE SCHOOLS.

The bill H. R. 16, with the Senate substitute adopted yesterday, was read the third time. Mr. SMITH, of Jay: The bill as amended by the Senate is directory, and the result of its passage would be the common schools will be barassed by any person who may fall out with the school teacher. We ought to look beyond the question of temperance and consider whether such a statute would not lend to confusion and to the breaking up of many schools.

Mr. FOULKE moved to postpone the forther consideration of the bill till it comes up in the next order on the third reading of

House bill. Mr. SMITH, of Jay, moved to amend by indefinitely postponing the bill. Mr. FOULKE: The bill does not mean anything impossible-neither does it mean that physiology shall be taught to the A B

C classes in the schools. The fact is demonstrable by medical science that alcoholic stimulants are injurious in this climate, and in so far as science has demonstrated that fact, just so far will this bill propose to have the science taught.

compel the teaching of physiology and hy giene to children of six years of age, I am opposed to it.

Mr. MARSHALL: I do not think it will hurt any boy to teach him the harmful eftects of alcohol on the human system, even though so young as six years.

Mr. McCULLOUGH: The child can easily learn that fact without teaching in the

Mr. McINTOSH: The Senate amendment accepted fact that the effect of alcoholic stimulants is injurious to the human system. I vote "no."

Mr. WEIR: Had this bill been amended as I desired I should have voted for it. As it stands I vote "aye" on this motion. So the motion to postpone indefinitely was agreed to

Mr. MAGEE moved to reconsider the vote just taken, and to lay that motion on the The latter motion was agreed to by year 23,

Mr SHIVELY, explaining: In order that the time of the Senate may not be taken up any more with this bill I vote "ave."

AFTERNOON SESSION.

SUNDAY BASE BALL PLAYING. Mr. OVERSTREET, from the Special Committee of One, returned the bill [H. R. 16] with the amendements, as instructed by the

Senate, inserting the word "base." The report of the committee was concurred in by yeas 24, nays 21.

The other part of the report was also concurred in.

On motion by Mr. FOWLER the amendments were considered engrossed. Mr. HILLIGASS: I offered the amendment so that, if the bill passed, it would be as little objectionable as possible. I shall vote against the bill, believing existing statutes are sufficient to suppress any nuisance in any locality.

Mr. BROWN: I am sorry the amendment favored it as it came from the House. I still favor it, notwithstanding the amendment. Mr. THOMPSON: I favor the bill to discourage the demoralizing and brutalizing

ball playing. The bill passed by yeas 20, nays 16. Mr. FOULKE: As a great majority of my constituents desire the bill shall pass I vote

Mr. SMITH, of Jay: Like the Senator from Wayne (Mr. Foulke) were I to consult my own feelings I should vote against the | majority. bill, but in deference to the wishes of my

"no." Mr. WILLARD: Believing we should not

make an exception in allowing base ball associations to work their men seven days in the week I vote "aye." vote just taken, and lay that motion to reconsider on the table.

The latter motion was agreed to upon a division-affirmative, 23; negative, 21. GAMING ON PAIR GROUNDS.

The bill H. R. 172 was read the third Mr. FAULKNER moved to concur in the majority report, it recommending its pass-

Mr. SMITH, of Jennings: This bill is entirely unnecessary, and would but encumber the statutes. He moved to substitute the minority for the majority report, which

recommends indefinite postponement. Mr. HILLIGASS: Some agricultural fair associations have derived as much as \$3,000 a week from men who bought the privilege of gathering from the people money without giving anything in return. This bill proposes to say that such persons shall not be allowed to go upon the fair grounds and practice their various swindling games. Mr. YOUCHE moved to amend by strik-

ing out the word or "skill" and the words "for the purpose of wagering money or any thing of value." Mr. FOULKE: There is no need of going a step farther with legislation of this kind in the face of the present laws. We have no business to pass laws that will do no good. Mr. WINTER: This bill in its present

shape I would not be willing to support. It can be put in such a shape as I think it ought to be passed. He yielded the floor to Mr. WILLARD, who moved to amend the amendment by reconsidering the bill and re-

port to a select committee of three. This motion was agreed to. The PRESIDENT pro tem. (Mr. Magee) made said committee to consist of Messrs.

Willard, Youche and Winter. DITCH NOTICE PUBLICATION. On motion by Mr. Howard the bill S. 171

was taken up. Mr. HILLIGASS explained this bill is to authorize the publication of ditch notices, or rather to make the statute certain. The bill failed the other day for want of a constitu-Mr. WEIR: It inserts the words "in

some newspaper" in section 4 293. Mr. WINTER: These words were probably left out purposely. Newspaper advertising is very expensive.

Mr. HILLIGASS: This bill proposes to put it out of the power of any scoundrel who may follow the Sheriff and pull down the three notices that officer may post up. Information is what is sought to be gained. I hope this bill will be passed in the interest of men who are affected by the construction of drains or ditches, and not in the interest of newspaper men.

Mr. SELLERS: I have no doubt the words "in a newspaper" was an omission in sectin 4 293

Mr. McINTOSH: I regard this bill is proposing an increase of expense, and intend to vote against it. Mr. BROWN: I believe these notices should receive the greatest publicity.

The bill was rejected by by year 15, nays Mr. DAVIS: Believing the Legislature intended to enact the law as written, and believing this bill is in the interest of newspapers, and not in the interest of men who

are affected by the ditches, I vote "no." Mr. DUNCAN, of Hamilton: Coming from a county which has constructed about 141 drains under this present law, as I understand it, and having heard no complaint, and no one asking for this change, and believing it will add an additional item of expense, I vote "no."

The Senate adjourned. -HOUSE OF REPRESENTATIVES. THURSDAY, March 26, 1885.

W. W. BROWNING -IN MEMORIAM, Mr. SEARS, from the committee thereon, presented a memorial report [see appendix] which, on his further motion was ordered spread on the House journals and a copy sent to the family of the deceased.

On motion by Mr. McMULLEN the report was made the special order for Saturday afternoon at 2 o'clock.

CLERK'S FEES IN GUARDIANSHIPS. Mr. GORDON called up his bill [H. R. 168]

ought not to pass.

the book as provided for by this bill. Mr. KELLISON: I am unable to see the merits in this bill. The great difficulty connected with estates now is not with the Clerk's reports. It is now the duty of the and better mechanics. Judge to investigate the solvency of estates.

This bill is only to increase fees. The bill passed-yeas, 51; nays, 30.

P. E. MUNSON'S LIGHTNING ROD CLAIM. The bill [S. 111] to allow David R. Munson \$5 115.69 for lightning rods for the Asylum for the Insane, was read the third time. Mr. PENDLETON: This is a just, undisputed claim. It does not embrace interest, and interest has been allowed other claimants. There is no need of argument here. The money would have been paid without question had there been money in the treas-

ury when the work was done. that "Munson put up the rods without having the contract, though I warned him farmers in Indiana who never heard of Purwas indignant when the bill came, as well as | these ten lines show. "Corn, fifty bushels to sample of the persistence of the lightning- gathered or weighed." How is this? Then rod man. Give them an opportunity and

something due Munson, but not this much. bill to the Ways and Means Committee, with | of the University speaks of their blacksmith has been engrafted on the bill, and heartily | instructions to amend so that the bill be re- shops, yet his report shows an indebtedness duced to \$2,500.

Mr. PENDLETON: I move to amend by making it \$3.800. The amendment was not agreed to.

The motion to recommit was agreed to. COLLECTING DELINQUENT TAXES. Mr. French called up his bill [H. R. 543] to allow County Treasurers 6 per cent. for

heretofore failed for want of a constitutional

of the House to the present condition of the | of it \$500 per year to a boy. Your son could nothing. The farmers' boys are not the Mr. WEIR: Believing the present statu- delinquent tax lists of Indiana. Section attend Heidelberg for that. I am not favortory law is sufficient to suppress anything of | 6,427 of the Revised Statutes says that the | ing strangling Purdue, but I want it to this kind that may become a nuisance I vote | County Treasurer shall make diligent search | take care of itself. If you vote \$24,000 puts the duty of collecting these taxes on the a millstone about your neck and bitters on reciring. Treasurer without this extra pay. He must of course I expect the gentlemen from show that he can find no personal property | Tippecanoe to yote for it. I would not Mr. WILLARD moved to reconsider the law makes him liable on his bond if he does I have no personal animosity. I speak as a not collect these delineuencies. Treasurers | matter of justice and right. are not well paid for their services, and their duty is clearly defined. This proposition is

Treasurers, and will do it at the rate of \$1,000 for every county in the State.

Mr. FRENCH: There is no disguise in this educational institutions? The labor of an bill. It means just what it says. It was drawn in its simplest shape so that all could of an ignorant man. This is acknowledged understand it. It is not to merely increase | everywhere. It is our duty to educate salaries of Treasurers. The law of 1879 allowed County Treasurers to go out and col- refers to certain colleges which are lect delinquent taxes six months in the | doing great work. Still these colleges are year and he was allowed 6 per cent. This | no part of the State. Shall the State enbill simply allows the Treasurers to collect | tirely cease educating. The gentleman rethe delinquent taxes twelve months in the year instead of six months. If there is any reason why they should go out six months of the year instead of twelve I fail to see it.

The bill passed by yeas 55, nays 25. Mr. McGOVENEY, explaining his vote. said: I think that a great many are making a mistake on this, and it will cost us but \$6 on the hundred to collect this. It will be a relief to our school fund. So I vote "aye." Mr. McMiCHAEL: It is not difficult to find men to fill the offices at the present salary. Those now delinquent in taxpaying | Knox (Mr. Williams). It was eloquent, sarare not so with choice, but of necessity. It will only increase their burdens. I vote "no."

So the bill passed as noted above. PURDUE UNIVERSITY.

On motion by Mr. PATTEN the House re olved itself into a Committee of the Whole, Mr. Adams in the chair and proceeded to consider the bill [H. R. 427] making general appropriations.

Mr. WILLIAMS: I favor the motion to strike out the item to appropriate \$21,000 to Purdue University. If I fail to convince the House that this item should be struck out it will be because of my inability and not be cause my cause is not just. My opposition to this is that Pardue University is not a State institution. In such institutions as the prisons and benevolent institutions of the State the land every item of furniture and fixtures belong to the State. Not so of Purdue University. Neither the land nor any of the property belongs to the State. The claim that this State entered into a compact with the United States to preserve Pardue can not be substantiated

Mr. WILSON: Section 862 of the statutes says that the State shall observe the stipulations laid down by Congress. What was

Mr. WILLIAMS: That the State should take care of the principal of this money, that the State should pay the interest. Some have an idea that this appropriation is to be \$24,000 for two years. This is erroneous. It means plainly \$24,000 per year. John Purdue did not ask money from the State, but said he would support this institution himself. All he wished was to call once in a while at Purdue and examine the books. I wish that John Purdue could examine those books now and make a report here in place of the one presented by President James H. Smart. Now is it a State institution? Two years ago President White, when a question was raised here regarding secret societies in that college, claimed that Purdue University was a private corporation and sent here through the Representative from Tippecance (Mr. Smith), who is still on this floor, a remonstrance against the Legislature meddling. The gentleman from Tippecanoe presented the matter to this body. Mr. SMITH: Don't misquote me about

this. I made no such claim. Mr. WILLIAMS: I guess I must resort to the official record. I will read from the Brevier Reports of the session of 1883. Reads from Volume NNL. This idea of a State institution is of recent origin. This communication of President Smart infimates | bitters and you need not fear sickness." that there was no opposition to an approago. But there was. The Honorable each draught. Speaker of this House was then Chairman of Committee of Ways and Means. That committee then reported an appropriation of \$2,000 for Purdue. Mr. Smith moved to increase it to \$25,000, and this was laid on

the table by 48 year and 28 mays. Mr. HAYDEN: If it is not a State institotion why does the Governor appoint the

Trustees? Mr. WILLIAMS: The Governor appoints but two, and others are chosen by the State Board of Agriculture, and so on. Even if a State institution it would be held to a strict The motion to indefinitely postpone was sgreed to by yeas 22, nays 20.

Mr. BENZ, explaining his vote: I think this bill is proposed for buncombe.

Mr. HILLIGASS: I warmly supported this bill when it came from the House, but now, for the reason as smended it would be guardians and their bondsmen.

Which heretofore failed to pass for want of a constitutional majority.

Mr. MOODY: The gentleman from Puthack into the Treasury all unused money. When has Purdue evan turned back a single dollar? If you can find the receipt for such I would like to see it and frame it that the public may see it. Every boy who goes there, President Smart to the conaccountability as to its finances. All the When has Purdue even turned back a single | are used.

Section 2,221 of the code provides for the | trary, pays \$15 per year tuition, no matter keeping of all records necessary to enable | whether he be sent by a county or not. the Judge on the bench to know all the This institution is kept up for Tippecanoe Clerk of the Court, if this bill passes, can County. There are 176 enrolled there, furnish him. I am well satisfied this proposed law will simply pay the clerks for do-ing what the law now requires them to do without any pay. I think that if we pass no forty counties are represented. Tippecance law reducing fees and salaries of county of County has eighty-seven members. The ficers we at least should go slow in enacting claim is made that Purdue is young. It is a law to increase their pay. I am satisfied as old as the Valpariaso Normal School, makes the House bill more mild. It is an | this bill is not what it is claimed to be, and | which has 1,600 stundents, and some of them are from Tippecance County. The expense Mr. GORDON: The gentleman misrepre- of that is not as much as Pardue. The sents the bill. There is no statute now on gentleman from Tippecanoe says that gentleman from Tippecanoe says that Purdue University has a capital stock of \$560,000. It is a private corporation. The claim is made that it is an Industrial College: that it is to make better blacksmiths

Mr. TAYLOR: How much money does it take to run this? Mr. WILLIAMS: No one can tell. President Smart, in response to this Legislature, says the salaries amount to \$24,500; another time in his annual report it is given at \$18. 000r another time he puts it at \$20,000; but I find the Lafayette Sunday Times gives an itemized statement which puts the salary figures at \$28,000.

AFTERNOON SESSION. Mr. WILLIAMS resumed (in Committee of the Whole House): The report of the Mr. REEVES: I have here the testimony | farming occupies but ten lines. Let the man taken. Dr. Jameson's testimony here shows | who goes to the County Treasurer's office to pay his taxes read this. There are many against proceeding." Governor Williams | due University, who raise better crops than were other members of the board. Here is a | the scre, although the crops had not been the crops were let out to farmers to gather. Some swivels were made by them, and the they cover your property with rods and Soms swivels were made by them, and the charge a heavy price. There is undoubtedly only thing curious about them was that it was hard to tell whether they were patterns Mr. PATTEN: I move to recommit the of harrows or patent churns. The President

to a blacksmith at Lafayette. And here is more information from that agricultural college-that they have found that you can dig post holes in compact as well as loose earth; and the only recompense they have for this information is to give you the name of the firm manufacturing these post heles. And another thing they tell us is of a system they have of keeping hairs collecting delinquent taxes, the same having | from blowing into milk. What a beneficial thing! Now if they could only extend the same invention to boarding house hash. Mr. SAYRE: I wish to call the attention [Laughter.] It costs the best you can make for such delinquent taxes. The next section to Purdue in this body you place which he can seize for delinquent taxes. The | blame them for it. But others should not.

Mr. WILSON: It seems to me that the amendment to strike out this appropriation a disguise to increase the fees of County | resolves itself into this thing: Shall Indiana support Purdue or let it die? and shall Ineducated man is worth more than the labor -it is our patriotism. The centleman fers us to Valparaiso? Valparaiso is in my part of the State, and I ought to be proud of it. But I must say that pupils attend that because it is a continuous picnic. Paying board and tuition is about all there is to that. We must not judge Purdue farm by the amount of grain grown, but the experiments made there. There were fifty-one kinds of grain grown there last year.

Mr. KELLISON: To the proposition to strike out this item I can not agree. I have heard the speech of the gentleman from castic and carefully prepared. If this college is not sustained, as the State agreed with the United States, then John Pardue's heirs may come in to reclaim the property. The college is not so much to put boys to the manuel of form labor, but to teach them about it. It was never so contemplated in the founding and endowment of the college; but it was founded to teach the mechanical arts. They gentleman says that if they undertake to teach the mechanical arts to ladies they violate the contract. That is his ides, but is not mine. When the State may tire of this property, then the Legislature, by an act, can give back the property to John Purdue's heirs. There may be some doubt if Indiana can keep three half starved institutions; it may be better to bave only one; but so long as we keep possession of the money of John Pardue we must keep faith with the college. I am not in favor of \$24,000, but I am in favor of giving a reasonoble appropriation. Better have no State institution of learning than a starved one. This opposition comes from one or two gentlemen-led by the gentleman from Putnam (Mr. Gordon.) He has assaulted the State University, Purdue University, and we may look for him to charge on the State Normal School-all in the interest of monopoly of the DePauw University, named after a man who can not write a grammatical sentence.

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duced for children, and are to be worn alike by small boys and girls. They are in the open designs of Irish laces, and are shown in dull gray and ecru, and in dark red or blue with white embroidery. There are also new and tasteful collars for these litt'e folks made of blocks of fine linen alternating with embroidered blocks, and edged with a finelywrought ruffle.

THE golden jubilee of Sister J. F. de Chantal Cummings was celebrated in Washington on Thursday with impressive cermonies. Archbishop Gibbons and a number of prominent clergymen took part in the celebration. Sister Cummings became a nun in 1835, when she was eighteen years old, and has been Mother Superior at various times in the houses in which she has resided.

Dinner menus with quotations from Shakspere, Byron or Tennyson, are new, and it is quite wonderful how apt some of them are if care is taken in the selection. Little Japanese hand screens are also new for menus, but it requires neatness to write the dinner on them, as they are small. The patterns on them are very quaint, a march of frogs in battle array being a perfect picture.

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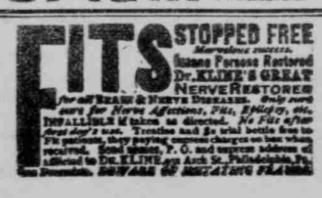
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